Introductory No. LL13-2
Permanent No. LL13-2



### THE COUNCIL OF THE CITY OF BINGHAMTON STATE OF NEW YORK

Date: August 21, 2013

Sponsored by Council Members: Mihalko, Berg, Papastrat

Introduced by Committee: Planning and Community Development

# LOCAL LAW No. LL13-2 of 2013 entitled A LOCAL LAW ESTABLISHING A HOME IMPROVEMENT TAX EXEMPTION PROGRAM

WHEREAS, the City of Binghamton wishes to adopt Section 421-f of the New York State Real Property Tax Law to establish a Home Improvement Tax Exemption Program; and

WHEREAS, the Home Improvement Tax Exemption Program would allow for a limited exemption from City of Binghamton tax increases due to increased assessed value resulting from capital home improvements.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the City of Binghamton does hereby adopt Section 421-f of the New York State Real Property Tax Law to establish a Home Improvement Tax Exemption Program to allow for a limited exemption from assessment tax increases due to capital home improvements.

Section 2. In accordance with Section 421-f of the New York State Real Property Tax Law, the City of Binghamton's Home Improvement Tax Exemption Program shall be limited by the following criteria: (a) the property for which the exemption is sought must be a one- or two-family residence; (b) the greater portion of the residence, as measured by square footage, after the capital improvement must be at least five years old; (c) the capital improvement must be commenced after the date this Ordinance is adopted; (d) this Program shall apply to reconstruction, alterations or improvements, but shall not apply to ordinary maintenance or repairs; and (e) the total value of the capital improvement, reconstruction or alteration must exceed the sum of \$3,000.00 and must not exceed the sum of \$80,000.00 in increased market value.

Section 3. That this program shall allow for the following exemption percentages:

<u>Year</u>	Exemption Percentage
1	100%
2	80%
3	60%
4	40%
5	20%



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## THE COUNCIL OF THE CITY OF BINGHAMTON STATE OF NEW YORK

Date: August 21, 2013

Section 4. Exemptions granted through the Home Improvement Tax Exemption Program shall be terminated if the property ceases to be used primarily for residential purposes or if title to the property is transferred to persons other than the heirs or distributes of the owner.

Section 5. That this Local Law shall take effect upon filing with the Secretary of State, but no earlier than January 1, 2014.

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 9/4/8. Approved by the

Mayor on MUS

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Introductory No. LL13-2

Local Law Filing

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(If additional space is needed, attach pages the same size as this sheet, and number each.)

DOS-0239-f-l (Rev. 06/12)

Local Law Filing

Instructions

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New York State Department of State Division of Corporations, State Records and Uniform Commercial Code One Commerce Plaza, 99 Washington Avenue Albany, NY 12231-0001

www.dos.ny.gov/corps

### PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

- 1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
- 2. Each local law to be filed with the Secretary of State shall be an original certified copy.
- 3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
- 4. File only the number, title and text of the local law.

Finance of Corporations, State Records and Uniform Commercials Code

- 5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do <u>not</u> include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
- 6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

- 7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
- A copy of each local law may be mailed or delivered to:
   NYS Department of State
   Division of Corporations, State Records and Uniform Commercial Code
   One Commerce Plaza, 99 Washington Avenue
   Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

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DOS-0239-f-I (Rev. 06/12)

<sup>\*</sup> Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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